

MARTIN & FERRARO, LLP
1557 Lake O'Pines Street, NE
Hartville, Ohio 44632

Telephone
(330) 877-0700

Facsimile
(330) 877-2030

FACSIMILE TRANSMITTAL

TO:**Name:** Mail Stop MISSING PARTS**Firm:** U.S. Patent & Trademark Office**Fax No.:** 703-746-4060**Subject:** U.S. Patent Application No. 10/706,715

John I. Shipp

Filed: November 12, 2003

SURGICAL LIGATION CLIP

Attorney Docket No. 115.0023-00000

Customer No. 22882

Confirmation No.: 7246

FROM:**Name:** Thomas H. Martin, Esq.**Phone No.:** 330-877-2277**No. of Pages (including this):** 17**Date:** September 2, 2004**Confirmation Copy to Follow:** No

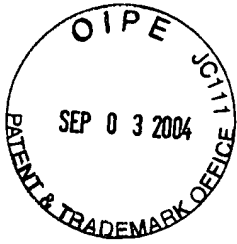
Message:**CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Communication with courtesy copies of the Facsimile Transmittal, Petition Under 37 C.F.R. § 1.47(b) And Statement Of Fac's (\$130.00 petition fee charged to Deposit Account No. 50-1068), executed Declaration, Statement Under 37 C.F.R. § 3.73(b) with Notice of Recordation and Assignment (Exhibit A), Power of Attorney, Exhibit B, and the return copy of the Notice of Missing Parts as originally filed on July 9, 2004 (including the PTO Auto-Reply and Confirmation of Transmission) are being facsimile transmitted to the U.S. Patent and Trademark Office on September 2, 2004.


Thomas H. Martin

If there is a problem with this transmission please call Sandy Blackmon at 330-877-1202 or the sender at the number above.

The information contained in this facsimile message is privileged and confidential information intended only for the use of the addressee listed above. If you are not the intended recipient or the employee or agent responsible to deliver this message to the intended recipient, please do not use this transmission in any way, but contact the sender by telephone.



PATENT
Attorney Docket No. 115.0023-00000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Confirmation No.: 7246
John I. Shipp)	
Serial No.: 10/706,715)	Group Art Unit: 3731
Filed: November 12, 2003)	
For: SURGICAL LIGATION CLIP)	

Mail Stop MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

COMMUNICATION

In response to the Decision Refusing Status Under 37 C.F.R. § 1.47(b), the undersigned submits herewith a copy of the Facsimile Transmittal, Petition Under 37 C.F.R. § 1.47(b) and Statement of Facts, executed Declaration, Statement Under 37 C.F.R. § 3.73(b) with Notice of Recordation and Assignment (Exhibit A), Power of Attorney, Exhibit B, and the return copy of the Notice of Missing Parts as originally filed on July 9, 2004, including the PTO Auto-Reply and Confirmation of Transmission.

In view of the above, the undersigned hereby petitions the Commissioner to accept the Declaration executed on behalf of the assignee due to the refusal of the inventor to sign such Declaration.

Respectfully submitted,

MARTIN & FERRARO, LLP

Dated: September 2, 2004

By: Thomas H. Martin
Thomas H. Martin
Registration No. 34,383

1557 Lake O'Pines Street, NE
Hartsville, Ohio 44632
Telephone: (330) 877-0700
Facsimile: (330) 877-2030

USPTO 7/9/2004 3:56 PM PAGE 1/001 Fax Server
 :Auto-reply fax to 3308772030 COMPANY:

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 3308772030

Fax Information

Date Received:

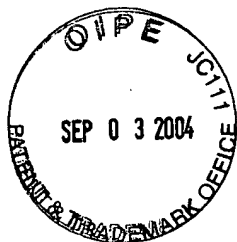
7/9/2004 3:51:58 PM [Eastern Daylight Time]

Total Pages:

13 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page
=====



07-08-2004 15:37	From-MARTIN&FERRAROLLP	3308772030	T-301 P.001	P-011
------------------	------------------------	------------	-------------	-------

MARTIN & FERRARO, LLP 1357 Lake O'Pines Street, NE Marietta, Ohio 44632	
Telephone (330) 877-4700	Fax/Facsimile (330) 877-4950

FACSIMILE TRANSMITTAL	
TO:	FROM:
Name: Mail Stop MISSING PARTS	Name: Thomas H. Martin, Esq.
Firm: U.S. Patent & Trademark Office	Phone No.: 330-877-2277
Fax No.: 703-746-4060	No. of Pages (including this): 13
Subject: U.S. Patent Application No. 10/680,973 John L. Shipp et al. Filed: October 7, 2003 INSTRUMENTS AND METHODS FOR USE IN LAPAROSCOPIC SURGERY Attorney Docket No. 115.0024-00000 Customer No. 22882 Confirmation No.: 6060	Date: July 9, 2004 Confirmation Copy to Follow: No

Message:

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that the attached Petition Under 37 C.F.R. § 1.47(a) And Statement Of Facts (S130.00 position fee charged to Deposit Account No. 50-1068), enclosed Declaration, Statement Under 37 C.F.R. § 3.73(b) with Notice of Recordation and Assignment (Exhibit A), Power of Attorney, Exhibit B, and the return copy of the Notice of Missing Parts are being facsimile transmitted to the U.S. Patent and Trademark Office on July 9, 2004.

Thomas H. Martin

If there is a problem with this transmission please call Nancy Wasserman at 330-877-2202 or the sender at the number above.

The information contained in this facsimile message is privileged and confidential information intended only for the use of the addressee listed above. If you are not the intended recipient or the employee or agent responsible to deliver this message to the intended recipient, please do not use this transmission in any way, but contact the sender by telephone.

PAGE 1/13 RCVD AT 7/9/2004 3:51:58 PM [Eastern Daylight Time] * SVR:USPTO-EFXXRF-2/0 * DNIS:7464060 * CSID:3308772030 * DURATION (mm-ss):01-18.23-00

Confirmation Report - Memory Send

Time : 07-09-2004 16:01
 Tel line : 3308772030
 Name : MARTIN&FERRAROLLP



Job number : 811
 Date : 07-09 15:57
 To : 17037464060
 Document pages : 013
 Start time : 07-09 15:57
 End time : 07-09 16:01
 Pages sent : 013
 Status : OK

Job number : 811

*** SEND SUCCESSFUL ***

MARTIN & FERRARO, LLP
 1557 Lake O'Pines Street, NE
 Bartville, Ohio 44632

Telephone
 (330) 877-0700

Facsimile
 (330) 877-2030

FACSIMILE TRANSMITTAL

TO:
 Name: Mail Stop MISSING PARTS
 Firm: U.S. Patent & Trademark Office
 Fax No.: 703-746-4060
 Subject: U.S. Patent Application No. 10/680,973
 John I. Shipp et al.
 Filed: October 7, 2003
 INSTRUMENTS AND METHODS FOR USE IN
 LAPAROSCOPIC SURGERY
 Attorney Docket No. 115.0024-00000
 Customer No. 22882
 Confirmation No.: 6060

FROM:
 Name: Thomas H. Martin, Esq.
 Phone No.: 330-877-2277
 No. of Pages (including this): 15
 Date: July 9, 2004
 Confirmation Copy to Follow: No

Message:

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that the attached Petition Under 37 C.F.R. § 1.47(a) And a Statement Of Facts (\$130.00 petition fee charged to Deposit Account No. 50-1068), executed Declaration, Statement Under 37 C.F.R. § 3.73(b) with Notice of Recordation and Assignment (Exhibit A), Power of Attorney, Exhibit B, and the return copy of the Notice of Missing Parts are being facsimile.